

1 Paul J. Hayes (*pro hac vice*)
 2 Kevin Gannon (*pro hac vice*)
 3 Steven E. Lipman (*pro hac vice*)
 4 HAYES MESSINA GILMAN & HAYES, LLC
 5 200 State Street, 6th Floor
 6 Boston, MA 02109
 7 phayes@hayesmessina.com
 8 kgannon@hayesmessina.com
 9 slipman@hayesmessina.com
 10 Telephone: (978) 809-3850
 11 Facsimile: (978) 443-1999

12 Attorneys for Plaintiff
 13 ADAPTIX, INC.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN JOSE DIVISION**

17 ADAPTIX, Inc.,
 18 Plaintiff,

19 v.

20 MOTOROLA MOBILITY LLC, *et al.*,
 21 Defendants.

Case No. 5:13-cv-01774-PSG

**DECLARATION OF KEVIN GANNON IN
 SUPPORT OF PLAINTIFF'S REPLY
 CLAIM CONSTRUCTION BRIEF**

22 ADAPTIX, Inc.,
 23 Plaintiff,

24 v.

25 APPLE, INC., *et al.*,
 26 Defendants.

Case No. 5:13-cv-01776-PSG

27 ADAPTIX, Inc.,
 28 Plaintiff,

v.

APPLE, INC., *et al.*,
 Defendants.

Case No. 5:13-cv-01777-PSG

ADAPTIX, Inc.,
 Plaintiff,

v.

AT&T MOBILITY LLC, *et al.*,
 Defendants.

Case No. 5:13-cv-01778-PSG

ADAPTIX, Inc.,
Plaintiff,
v.
CELLCO PARTNERSHIP *d/b/a*
VERIZON WIRELESS, *et al.*,
Defendants.

Case No. 5:13-cv-01844-PSG

ADAPTIX, Inc.,
Plaintiff,
v.
APPLE, INC., *et al.*,
Defendants.

Case No. 5:13-cv-02023-PSG

**DECLARATION OF KEVIN GANNON IN SUPPORT OF PLAINTIFF'S REPLY
CLAIM CONSTRUCTION BRIEF**

I, Kevin Gannon, declare as follows:

1. I am a partner in the law firm of Hayes Messina Gilman & Hayes, LLC ("HMGH"), attorneys for plaintiff Adaptix, Inc. ("Adaptix") in the above styled actions.
2. I submit this declaration in support of Plaintiff's Reply Claim Construction Brief. I am competent to testify to the matters stated in this declaration and each of the facts is true and correct to the best of my knowledge.
3. Attached hereto as Exhibit 1 is a true and correct copy of the English translation of German Patent No. DE 19800953 issued in the name of G. Ritter, translated for the USPTO by Schreiber Translations, Inc.

I declare under the pains and penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 25th day of November, 2013 at Boston, Massachusetts.

/s/ Kevin Gannon